

ment shall be sold as above provided, unless recognizance be entered into for double the amount of the fine and double the value of said boat, vessel, net or other equipment, conditioned on the performance of the final judgment of the Court. Upon such recognizance being given, the party convicted and the aforesaid property shall be discharged.¹

An. Code, 1924, sec. 78. 1912, sec. 68H. 1912, ch. 4, sec. 9.

72. If any oyster inspector or other officer empowered with the duties of enforcing the provisions of sections 64-73, knowingly fail to report violations of the same or to perform any of the duties herein required of him, he shall, for every such offense, be liable to a fine of one hundred dollars, to be applied to the oyster fund of his State.

An. Code, 1924, sec. 79. 1912, sec. 68-I. 1912, ch. 4, sec. 11.

73. Nothing in sections 64-73 shall be construed in any way to impair, alter or abridge any rights which either State, or the citizens thereof, may be entitled to, either by, through, under or against the compact entered into between the States of Maryland and Virginia on March 28th, 1785.

Compact of 1785 between Virginia and Maryland held to have no bearing in a suit by United States to recover possession of a strip of land on Potomac river front; boundary between Maryland and Virginia; riparian rights; adverse possession. *Marine Rwy. Co. v. United States*, 257 U. S. 47.

As to the compact with Virginia, see *Binney's Case*, 2 Bl. 125; *Briscoe v. State*, 68 Md. 297; *Maryland v. West Virginia*, 217 U. S. 580; *Wharton v. Wise*, 153 U. S. 155; *Potomac Steam Boat Co. v. Upper Potomac, etc., Co.*, 109 U. S. 672; *Georgetown v. Alexandria Canal Co.*, 12 Pet. 91.

General Measurers and Inspectors.

An. Code, 1924, sec. 80. 1912, sec. 69. 1904, sec. 68. 1894, ch. 380, sec. 57. 1900, ch. 380. 1906, ch. 188, sec. 68. 1916, ch. 702, sec. 69.

74. The Conservation Commission² of Maryland shall appoint nine suitable persons to serve as general measurers and inspectors of oysters, four of whom shall be assigned to Baltimore City and the remaining five shall be assigned to such ports or districts elsewhere in the State as the Commission may in its discretion deem best for the good of the service. Each general measurer and inspector of oysters for the City of Baltimore shall give bond to the State of Maryland in the sum of three thousand dollars, and all other general measurers and inspectors and all the special inspectors shall give bond to said State in the sum of one thousand dollars for the faithful performance of their duties; and the general measurers and inspectors shall have the same power and authority over oysters sold in the waters adjacent to the port to which they may be assigned as herein-after given to the general measurers and inspectors over such city, town or port for which they shall be respectively named.

This section referred to in construing sec. 75—see notes thereto. *Foote v. Stanley*, 117 Md. 346 (reversed in 58 L. Ed. 698).

¹ By sec. 10 of act of 1912, ch. 4, it is provided that since an emergency existed for passage of that act because of depletion of fish and shell fish in Potomac, act should take effect from date of its passage (February 19, 1912), provided concurrent legislation was passed by General Assembly of Virginia by that time, and if not, then immediately upon passage thereof. By sec. 12 of act of 1912, ch. 4, it is provided that upon taking effect in Virginia of the provisions prescribed in that act, Governor of Maryland should issue a proclamation declaring provisions of said act effective.

² This section repealed by Ch. 353, 1939, but as Act is subject to referendum vote at the November election, 1940, this section will not be repealed unless a majority of the voters voting thereon are in favor of said Act. If said Act is approved, this section will be repealed as of Dec. 5, 1940.